

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-5 are pending in the present application. Claim 1 is amended by the present amendment. No new matter has been added.

In the outstanding Office Action, the title and the drawings were objected to; Claims 1, 2 and 5 were rejected under 35 U.S.C. § 102(e) as anticipated by the U.S. Patent No. 6,211,509 to Inoue et al. (hereinafter Inoue), and Claims 4 and 5 were objected to as dependent upon a rejected base claim. Claim 3 is not addressed in the Office Action, but in a phone conversation with Examiner Lung on December 9, 2004, the Examiner clarified that Claims 3 and 4 were objected to, not Claims 4 and 5. Applicants acknowledge with appreciation the indication that Claims 3 and 4 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant notes that the Information Disclosure Statement (IDS) filed on January 4th, 2004 has yet to be acknowledged. For the examiner's convenience, a copy of the IDS filing papers are attached.

In response to the objection to the title, the title is amended herewith to be more clearly directed to the claimed invention. Accordingly, the objection to the title is believed to have been overcome.

Regarding the objections to the drawings, Fig. 15, 16 and 17 are labeled as 'Prior Art'. In Fig. 15, the item 63 is now labeled "CLP" instead of "GLP"; support for the label change is found in the originally filed specification.¹ Accordingly, Applicants respectfully submit that the objections to drawings are overcome.

¹ Specification, page 1, lines 30-32.

IN THE DRAWINGS

The attached sheets of drawings includes changes to Fig. 15, Fig. 16 and Fig. 17. The figures have been labeled as "Prior Art". In Fig. 15, a labeling informality was corrected. The drawing replacement sheets, which include Fig. 15, Fig. 16 and Fig. 17, replace the original sheets including Fig. 15, Fig. 16 and Fig. 17.

Attachment: Replacement Sheets.

Claim 1 is directed to an image pickup system that includes MOS sensors arranged in an image pickup region of a semiconductor substrate in the form of a matrix and having photoelectric transfer layers, a peripheral circuit part formed in a region of the semiconductor substrate except for the image pickup region and having a driving circuit for driving the MOS sensors and a signal processing circuit for processing output signals from the MOS sensors, and microlenses. Claim 1 is amended to now recite that the “microlenses are formed to contact with a first insulating film, for condensing picture signals on the photoelectric transfer layers, the first insulating film being formed above the photoelectric transfer layers.” Support for the amendment is found in Applicant’s specification.² As also recited in Claim 1, the driving circuit and the signal processing circuit in the peripheral circuit part are covered by a second insulating film, and the distance between the surface of the first insulating film and the semiconductor substrate is shorter than the distance between the surface of the second insulating film and the semiconductor substrate.

Applicants submit the applied art to Inoue fails to teach or suggest that “said driving circuit and said signal processing circuit in said peripheral circuit part are covered by a second insulating film, and the distance between the surface of said first insulating film and said semiconductor substrate is shorter than the distance between the surface of said second insulating film and said semiconductor substrate”, as recited in Claim 1.

In Applicants’ specification and Fig. 1 and Fig. 2 as a non-limiting example, two regions are identified: the image pick-up region 81 and the peripheral circuit region 82. The microlenses 20 are formed on a first isolating film layer covering the image pick-up region. The peripheral circuit part is covered by a second insulating film layer in region 82. As shown in Fig.1, **the distance** from the surface first isolating film layer in region 81 to the

² Specification, Fig. 1, page 9, lines 26-30.

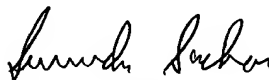
substrate 3 is **shorter** than the distance from the second isolating film layer in region 82 to the substrate.

Inoue does not teach the above-noted feature. Inoue discloses a single isolating film layer (in which the light-shielding film 28 and focusing lens 29 are formed) covering both the image pick-up region and the peripheral signal processing region.³ However, in contrast to the claimed invention, in Inoue **the distance** from isolating film layer to the substrate 21 is **the same** for both the image pick-up region 22 and the peripheral signal processing region 23. Therefore, Applicants respectfully traverse the rejection of Claim 1 (and dependent Claims 2-5) as anticipated by Inoue.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Surinder Sachar
Registration No. 34,423

³ Inoue, Column 6, lines 16-19.

Docket No. 205280US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Ikuko INOUE

SERIAL NO: New Application

GAU:

FILED: Herewith

EXAMINER:

FOR: IMAGE PICKUP SYSTEM

INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

COPY

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

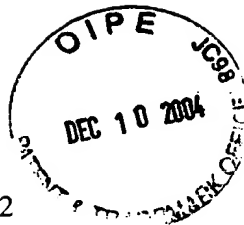
Marvin J. Spivak

Registration No. 24,913



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/98)



BEST AVAILABLE

DOCKET NO.: 205280US2

page 1 of 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Ikuko INOUE

SERIAL NO.: New Application

FILED: Herewith

FOR: IMAGE PICKUP SYSTEM

COPY

STATEMENT OF RELEVANCY

Reference AO (2000-150846) on Form PTO-1449:

A solid-state image sensor comprising :

The interlayer dielectric on an imager area is thinner than on a scanning circuit. Therefore, a characteristic of microlens and color-filter with the laminated wire lines don't degraded.

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 205280US2		SERIAL NO. New Application	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Ikuko INOUE			
FILING DATE Herewith				GROUP			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	2000-150846	05/30/00	Japan (with English Abstract)			x
	AP						
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW						
	AX						
	AY						
	AZ						
Examiner					Date Considered		

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.